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**Submission to the  
House Of Representatives Inquiry Into  
Indigenous Employment**

**Critique of the Department of Employment &  
Workplace Relations & Job Network and their implementation of  
Remote Fee For Service Contracts & related services in remote  
Aboriginal Communities.**

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By: Bret Fishley

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## **Introduction**

This submission addresses failings of the Department of Employment & Workplace Relations Employment Services (DEWRES) and the implementation of various programmes by an un-named Job Network provider where the author was employed in 2005. Its primary objective is to explain cultural and social barriers that exist and suggest strategies and frameworks that have been utilised to good effect in many other places to address powerlessness and poverty in Aboriginal Australia.

During the time of his employment Mr Fishley was able to get proximity to the delivery of employment services at an un-named remote community from a grass roots perspective. He has a sixteen-year history of successful and constructive engagement with Aboriginal people working to achieve real outcomes on the ground working from a grass roots perspective. He has utilised the principles and strategies learned over this time to critique and better understand the failings of the DEWRES and the way that they are being implemented by the Job Network provider.

He is interested in approaches that will succeed in facilitating employment and enterprise development outcomes and asserts that the existing approach cannot succeed in either of these respects. He asserts the only approaches that can work are those that are owned and driven by self-defined groups of Aboriginal people utilising location specific methodologies and initiatives that are owned, planned and implemented by that group with appropriate levels of support by government and non-government providers of goods and services.

Before embarking upon the next section of this document which contains some criticisms of current approaches by government, non-government organisations and non-Aboriginal Australians in general it is important to invoke some statistics to remind the members of this inquiry team as to the extent of the seriousness of the situation. All of the per capita statistical averages below have been sourced from the Australian Bureau of Statistics website and they are the most up to date figures that the author could find. It should be borne in mind that outcomes are much worse in many instances when applied specifically to statistical indicators at remote community locations.

Most Aboriginal people exist on the margin of Australian society. A University Of Western Ontario by Study by M Cook compared the conditions of life of over 100 different cultural groups across the globe. It found that Aboriginal people are the 2<sup>nd</sup> worst living conditions of any distinct cultural group anywhere in the world. In comparison non-Aboriginal Australians are the 4<sup>th</sup> best living conditions of any distinct cultural group anywhere in the world. That this should be the case in such a privileged country as Australia and in a time of such economic prosperity as well is an indictment against all non-Aboriginal Australians.

The conditions of life that this group has to suffer are illustrated by the following Australian Bureau Of Statistics figures. Compared to non-Aboriginal people, Aboriginal people across Australia are:

- \* More than twice as likely to be born with a low birth weight
- \* 4.5 times more likely to die before they reach the age of four years old
- \* 23 times more likely to die as an infant from respiratory diseases
- \* Half as likely to successfully finish High School
- \* 3 times less likely to achieve a Certificate, Diploma or Degree
- \* 2½ times less likely to be able to find work at all
- \* 21 times more likely to be locked up as teenagers
- \* 15 times more likely to be locked up as an adult
- \* Men are 5½ times more likely to be the victim of assault or threatening behaviour, 8 times more likely to be hospitalised as a result, and 15 times more likely to die from an assault
- \* Woman are more than 28 times more likely to be hospitalised for assault
- \* More than twice as likely to be admitted to hospital for intentional self harm
- \* Three times more likely to commit suicide
- \* Twice as likely to die of Cancer
- \* Twice as likely to get Arthritis
- \* Three times more likely to have Diabetes
- \* Household income is half that of non-Aboriginal households
- \* Housing overcrowding is 5 times worse
- \* Five times more likely to die between the ages of 35-54 years

***And if you manage to live to full maturity you can still expect to die 17-20 years earlier.***

All of the above statistics can be verified by looking at various research reports compiled by the Australian Bureau Of Statistics. Every attempt has been made to use the most recent figures available. The situation described above is shocking enough. But since this is an average outcome for all Aboriginal people it is safe to assume that the actual situation on the ground in remote communities is actually even worse than these per capita average statistical indicators. The small percentage of Aboriginal people that enjoy relatively high levels of income and privilege masks the real actual situation that those families have suffered under long-term welfare dependence in remote communities,

many since the referendum of 1967. How much worse the outcomes are is very much a matter for speculation and it is a topic that would be worthy of further study and research.

The general approach that we non-Aboriginal people have taken in our dealings with Aboriginal people's are not working. The author submits the above statistics as irrefutable evidence of the failure of all levels of Australian governments to meet their obligation to provide comparably equitable outcomes for Aboriginal people in this country.

None of us like to be criticised. Especially when we think that we are taking an approach to an issue that we personally believe is right and that belief and all of the beliefs that inform those conclusions are questioned and held up for ridicule with well-evidenced information. It is confronting and it makes us feel uncomfortable and this is a completely natural experience under the circumstances but it is a feeling that we non-Aboriginal people are going to have to acknowledge and put aside if we are going to properly apprehend what is happening around us, our role in that, and what we can do to address the situation.

We non-Aboriginal people need to suspend this belief that 'we know better than Aboriginal people' that has informed all of our actions since colonisation till this time. This approach has failed and it will continue to fail and it will continue to result in levels of horror that the majority of us non-Aboriginal people cannot begin to imagine.

Our current approach results in premature death for Aboriginal people. The reasons why these premature deaths are occurring are explained throughout this document. This document argues that they occur as a direct result of the imposition of inappropriate policies and racist attitudes directed at Aboriginal people. These policies and attitudes specifically target one race in this country, Aboriginal people. The question that we non-Aboriginal illegal colonisers of this country need to ask ourselves at this time in history is:

*What is the difference between ongoing deliberate imposition of inappropriate assimilationist policies and inappropriate implementation of those policies and racial discrimination that leads to early death and the other option of actually taking a gun and deliberately killing someone?*

Two different approaches yes, but the end result is the same, the person is killed before their time, and both approaches are deliberate thus making the actors equally complicit whatever the approach.

How far have we come since the time before the referendum in 1967 when Aboriginal people were officially designated as wildlife? This author argues that we have not come far enough. We need to put our personal petty annoyance of feeling reproached aside. Women are being bashed, children are being raped, people are dying, it is happening now and we non-Aboriginal people are responsible for all of this social chaos. We have to get

over the fact that we are in the wrong and accept that we non-Aboriginal people are incapable of fixing the problem ourselves.

To contextualise this document it is important to bear the author's objectives as a community development worker in mind to properly understand the intent of this document. He is seeking to advocate for those Aboriginal people that are not heard by government, have few resources, and who possess a feeling that there is little hope for a better future.

He wants to educate and assist non-Aboriginal people. The objective being to engineer more culturally appropriate relationships between non-Aboriginal & Aboriginal people that facilitate mutual understanding & empower and facilitate long-term social justice and self-sufficiency.

He wants to motivate non-Aboriginal people to act to support Aboriginal grass roots expressions of self-determination as defined by self-defined groups that have consensus about a good way forward.

He wants to counter mainstream racist preconceptions of Aboriginal people and their circumstances by deconstructing, examining and explaining the disempowering & socially divisive effects of government policy interventions. He evidences these structural deficiencies in this submission and other submissions to the ATSIC Review, the House Of Representatives Inquiry Into Capacity Building on Indigenous Communities and a previously lodged submission to this inquiry. His particular areas of interest and concern are in relation to issues like land ownership, corporate & community governance & provision of welfare.

He wants to explain how interventions imposed on dispossessed Aboriginal people are resulting in what he describes as an assimilation driven cycle of avoidable horror and premature death. He argues that these interventions have generally disempowered and made dependent what was and what could once again be a proud and self-sustaining people.

There is a widely held consensus among grass roots Aboriginal people he has spoken too around Australia that things are getting worse on the ground. He argues that there has at the end of the day been a lack of genuine well-meant engagement by government, media and the general non-Aboriginal Australian population.

He argues that the only logical conclusion that can be reached is that many non-Aboriginal Australians are still deliberately going out of their way to dispossess Aboriginal people of their land, dignity and culture. He further argues that the totality of this type of approach is in violation of the United Nations Anti Genocide Convention, the Universal Declaration Of Human Rights and the International Convention On All Sorts Of Racial Discrimination and other conventions.

He argues that the various levels of Australian governments has deliberately displaced traditional social structures and ways of living substituting them with new destructive structures that have created widespread corruption, marginalisation, exploitation, poverty, unemployment, boredom and low self-esteem that saps self-motivation and that these things are perpetuated to this day. He argues that this has created a new culture in the post 1967 referendum policy period where many succumb to feelings of self-loathing and despair usually leading to substance abuse and addiction and poor mental health outcomes that in turn lead to self harm and violence against others manifesting as criminal justice outcomes.

The author acknowledges the many grass roots Aboriginal people that have remarkably retained their dignity, optimism and personal power, even in the face of the great adversities that they face as a direct result of racism and government policy.

The people he refers to as caught up in a cycle of despair should not be confused with some of the powerful Aboriginal leaders widely quoted in the media. More specifically those that have utilised their positions of power to marginalise Aboriginal families under their jurisdiction that dismiss concerns and complaints made towards them by grass roots people. Dispossessed and poverty stricken grass roots leaders are sick of being misrepresented and walked over by these people that have ensconced themselves within the reconciliation and good governance movements in a bid to increase their legitimacy in the face of decades of corrupt dealings that have flourished under dysfunctional governance structures that do not demand accountability, transparency and equity.

He reminds the members of the inquiry that for many of these grass roots leaders it has been like continually banging their head against a deaf, dumb and blind titanium coated solid steel government monolith. These leaders are dying in droves, often not passing on their knowledge or capacity to the younger generation. Their inability to achieve any substantial improvement in the living circumstances of their people in their lifetime despite their enormous integrity, capacity and continuity with ancient cultural norms and their enormous effort may contribute to the understandable lethargy and bewilderment of many from the younger generation as to whether the fight is winnable.

Many extremist right wing neo-conservative assimilationists would no doubt take heart from this statement as evidence of their success in progressing the assimilation process and take heart that they are on the road to successful integration of Aboriginal people into the dominant paradigm values of mainstream Australian society.

The author asserts that non-Aboriginal people and government need to make an effort to understand the structural dysfunctions Aboriginal people have to suffer on an everyday basis from their perspective so that they can then begin to understand why there is such a comparatively high disproportionate prevalence of 'per-capita' detrimental social and economic events. These include the statistical outcomes quoted above as they relate to family violence, suicide, poor health leading to premature mortality, poor educational outcomes, criminal justice interactions, infant mortality, and crowded housing conditions.

One can only hope that with this knowledge non-Aboriginal people will finally be able to make the first step towards conciliation with Aboriginal people. But the author stresses this can only happen via the acceptance of their culpability in creating and perpetuating this situation. Perhaps then the sense of urgency for the changes that are required will become more real, compelling and palatable for what is now a largely unsympathetic government and media that is fueling mainstream community apathy and implementing what can only be described as an increasingly persecutory blame the victim policy environment.

The usual response by well-intentioned non-Aboriginal people when it comes to the thought of 'what can I do' is dismay and a sense of helplessness to be able to effect change. If properly financed programs were in place to facilitate the work that Indigenous Communities Volunteering Australia is doing and the other strategic and methodological interventions that the author suggests then connections between those with skills and those without could start to be made and strong solutions based progress could perhaps be delivered within as short a time as a decade.

If anyone has the power to achieve that change then it is you, the members of this inquiry and your government colleagues by using your influence to facilitate the types of interventions the author of this document is advocating in your everyday work and by writing up recommendations that reflect what is being said in this document.

We non-Aboriginal people have a huge mounting debt to repay for the ongoing horrors we are creating. We are all directly culpably to varying degrees for the widespread and ongoing preventable horror and premature death that is occurring right now across Aboriginal Australia.

Our culpability for doing nothing is increased when we refuse to act on properly reasoned evidence that is presented too us. This document explains what is happening and why. It also goes into depth to explain how these things might be addressed within the context of existing government structures. Lets work together to make a difference. It is only through this work that our sins against Aboriginal people will be able to begin to be assuaged.

### **A critique of DEWR Employment Services**

As time goes on Community Development workers in remote communities will come across Employment Services contractors delivering the Department of Employment & Workplace Relations programs listed below. The primary objective of this section is to explain the problems associated with current delivery platforms.

### **Continuity of services across the Employment Services spectrum**

The Department Of Employment & Workplace Relations on behalf of the Australian Government is currently in the process of purchasing a range of employment & related services commencing July 2006. These services include:

- Job Network (JN)
- Job Network Fee For Service (JNFFS) & Flexible Service Arrangements (JNFSA)



- Community Work Coordinator (CWC)
- Disability Open Employment Service (DOES) capped & uncapped places
- Personal Support Program (PSP)
- New Enterprise Incentive Scheme (NEIS)
- Jobs Placement, Employment and Training (JPET) Program.

Unfortunately this whole approach is also deeply flawed for a number of reasons.

It could well be that individual clients from any one self defined group of Aboriginal people will require a range of services across this whole spectrum of services. Having continuity across the spectrum of the Department Of Employment & Workplace Relations Employment Services (DEWRES) sector is going to be vital to give the best chance of appropriate outcomes. A single service provider with the necessary expertise should ideally provide all of these services. If this is not possible then there should be mandatory requirements to ensure continuity between providers. DEWR is not likely to implement such requirements.

### **Remodeling NEIS**

The NEIS program in its current form is not going to be useful to Aboriginal people because it does not take the generally different numeracy and literacy abilities of the most disadvantaged Aboriginal people that most need a program of this nature. This program has really been specifically designed for people with already high levels of self-confidence, personal esteem and numeracy and literacy skills with a strong Anglo-Saxon competitive work ethic.

The greatest opportunities that exist in remote Australia are perhaps in the area of eco-cultural tourism. The Aboriginal people whom most need to be engaged with to create new enterprise opportunities such as these in remote Aboriginal communities are people that generally do not subscribe to the Anglo-Saxon competition ethic. They generally have relatively low self-esteem & personal confidence and numeracy & literacy. Capacity and confidence building strategies across these areas need to be approached within the context of specific project environments where learning is directly linked to the delivery of project outcomes and personal and group ambitions of the project participants.

### **DEWR & Indigenous volunteering organisations**

Government needs to design a new program in conjunction with properly representative Aboriginal people, Indigenous Community Volunteers Australia and other non-Aboriginal grass roots people that have legitimacy amongst Aboriginal people and have years of experience working on the ground from an ancient law community development perspective. A more appropriate approach to enterprise development that takes much better account of the location specific differences of culture and capacity of the Aboriginal people being engaged with that also embraces the bottom up empowerment strategies and awareness' advocated in this document is vital if success is going to be achieved. Unfortunately we should not fool our selves into thinking that this is likely to happen. There is no precedent of government ever doing anything with a sense of good will and properly thought out policies to address problems in a holistic way. So the

chance of them deciding to take this path at this stage is highly unlikely especially since they seem so intent on the three punitive approaches explained here.

### **Case management ratios**

The disproportionately high number of Aboriginal 'clients' that are allocated to each individual case manager in the Remote Services Unit of some Job Network agencies in comparison with staff ratios for the provision of the mainstream town based Job Network services reveals the cynical attitude that informs the approach of some Job Network agencies approach to the various contracts. Each individual staff member within the mainstream employment services division of some Job Network agencies will generally have as many as 100 ~ 150 clients on their case load which is bad enough. The caseload in remote services for these same Job Network agencies delivering services to remote communities can in some cases in exceed 400 people.

Employment Service agencies would quite correctly argue from a purely economic point of view that the ratios must be like this to be able to cover costs let alone make a profit. This profit driven single bottom line approach to the delivery of employment services to remote Aboriginal communities is a major underlying reason why the contracts being implemented in remote locations in their present form cannot do anything but fail when it comes to delivering employment & enterprise development outcomes for Aboriginal people being serviced by these agencies.

### **Why are client caseload ratios so important?**

The extent of work associated with reporting for each individual client on the EA 3000 computer system that DEWRES uses to track individual Aboriginal people and the maintenance of paper files for each person with such high case loads is such that there is no time left to be able to create and progress real opportunities for people or the self defined groups that they are a part of that might enable them to break away from dependence on welfare. A proportion that is roughly in excess of ninety percent of time and resources is spent meeting mandatory DEWRES periodic reporting requirements; conducting reviews, signing people up, and then progressing them along the unemployment continuum from one stage to the next.

Workers find themselves in a situation where they are just recording what happens without having any time to intervene with location specific culturally appropriate community development strategies. Billions of dollars that could be spent to provide real outcomes are instead being spent to administer a deeply cynical system that expects outcomes but does little or nothing to facilitate them.

DEWRES contractors should have a responsibility to ensure they are working to the best of their ability to achieve culturally appropriate outcomes for Aboriginal people but this does not seem to be factored in. There is at present too much emphasis on record keeping and not enough effort being put into actually being on the ground achieving outcomes out in the community working within a community development paradigm to create new employment opportunities.

**Culturally inappropriate engagement: ignoring families**

Individual birth family and marriage kinship obligations and the structural opportunities that could potentially flow from that these structures to build culturally appropriate family enterprise development capacity in remote areas are shoved aside and ignored in the interest of providing a service that perceives individuals as separate units indivisible from each other. This may be an appropriate way of working within the context of the provision of mainstream employment services but it is entirely inappropriate and lacking in cultural coherence when it is utilised in the context of remote Aboriginal communities. It is perhaps one of the most damaging, culturally incoherent, inefficient and dysfunctional aspects of the delivery of Job Network services in remote areas.

**Networking Deficiencies: breach of obligation to clients**

DEWRES contractors are generally so caught up in meeting mandatory reporting requirements that intergovernmental and NGO round table interagency meetings are unlikely to ever be a priority. DEWRES contractors should be required to progress a seamless delivery of goods and services in conjunction with other government departments and NGO's and each self defined group in respective communities under their jurisdiction to achieve better employment outcomes for their clients. Failure to do so is a breach of their obligation to the wider Australian community to provide a tangible benefit for the money being spent. Job Network member organisations implementing the various contracts in remote locations should be one of many government and NGO's sitting around a table to ensure a seamless delivery of services to Aboriginal communities. It is disturbing that there is potentially going to be a perspective across DEWRES that networking with various levels of government and (non-training related) non-government organisations is a waste of company resources.

All government and NGO agencies must work together to provide a seamless delivery of services and infrastructure to build capacity so that each self-defined group can develop enterprise opportunities or/and alternative lifestyles that allow a transition to self-sufficiency. Regular monthly round table meetings to discuss needs and allocate responsibility in a holistic approach setting is vital to ensure a gaps free consistent and efficient approach to ensure goods and services are delivered to maximise the opportunity for positive outcomes.

Conversations with Aboriginal service provider agencies will generally reveal that the idea of intra-agency round table discussions across various government & NGO's to progress holistic solutions do not exist anywhere. Such forums are vital to facilitate a coordinated holistic conjoined whole of government & NGO approach to get the best possible seamless delivery of outcomes for each self-defined group.

**Alternative Lifestyle development to reduce dependence on shop bought food and fossil fuels.**

Alternative technologies and permaculture in combination with traditional social mores have been used to great effect in similar conditions in third world countries to develop solutions around issues such as housing, food production, enterprise development and lifestyle could be implemented if anyone had a will to do so which clearly they do not.

### **The false no-jurisdiction to Outstations argument**

There is rarely any effort and what could even be described as a reluctance to network with organisations like Indigenous Community Volunteers in Brisbane to progress potential enterprise development initiatives with self-defined groups that could have led to skills transfer, capacity building and long-term economic self-sufficiency.

The obvious starting place for identification of a self-defined group is by networking with a local CDEP grantee organisation to associate people with a particular Outstation. Outstations can generally be described as cohesive self-defined groups. But DEWRES provider managements will generally argue that working with Outstations is defined by DEWR as being outside of their jurisdiction thus justifying their dismissal of the potential opportunities of working with Outstations. The vast majority of the people that will exist on any given remote area Job Network agencies caseload will define themselves as belonging too and being intimately associated with one or two or more Outstations depending upon who their parents and partner/s are. Many of these people are continually moving between a larger central community location, or a town, and the Outstations or between outstations. These people may often be living at outstation locations for months on end. Indeed many people on these caseloads will not be able to be located by Job Network providers for months on end simply because they confine their activities to big centralised concentration camp communities.

So it thus can in actual fact be demonstrated that Job Network do actually have jurisdiction to work with these people and that they are already actually doing so, but in a completely individualistic way that is culturally inappropriate, ineffective, and inefficient and ignores the potentialities of outstations as bases for enterprise and alternative technological and lifestyle development.

Why not find out what people's family kinship ties are? Why not ascertain their aspirations as an outstation group and as individuals? But Job Network member agencies will refuse to recognise the inconsistency of their no-jurisdiction argument and DEWR will continue to impose this artificial barrier. Why not work to provide what the Job Network agency could legitimately provide within the context of their program abilities in conjunction with other NGO's and government as a seamless package for the benefit of the group? Unfortunately they will continue to reject this kind of approach and they will continue to refuse to advocate for such an approach with DEWR or justify any reasons for dismissing it as a legitimate methodological intervention. This can perhaps be perceived as another articulation of the Australian Governments agenda to close down small-scale remote outstations.

### **Not being there, on the ground**

There is also sometimes reluctance by some staff in Job Network agencies to spend more than the minimum amount of time in the actual gulag community locations they are meant to service. For example the excuse of not staying in the gulag when funerals were going on is one excuse. If the Job Network agency staff had a proper understanding of

where each family sits in each language group and an understanding in relation to their obligations when a person passes away then staff could accurately determine what families to leave alone and for how long depending upon deaths and other cultural events.

Better networking would have led to the opportunity to improve efficiency, develop partnerships and utilise the facilities of the service providers out at large community sites. The lack of access to a fast Internet connection at many large community sites to work on-line with the EA 3000 reporting system to meet DEWR reporting requirements also means further inefficiencies. Having to print out questionnaires, take them out to the gulag, track down people who need to be seen, interview them, record results and then take the results back to the office and transfer them onto the EA 3000 system wastes vast amounts of time and energy.

### **Mutual Obligation & community interactions**

At the moment non-Aboriginal designated mainstream 'Mutual Obligation' policies allow the breaching of clients in the mainstream of employment services when they do not attend interviews or apply for the allocated number of jobs each fortnight or for other reasons. Their Centrelink payments are stopped or decreased. There is a however a 'remote area exemption' that currently prevents a breach being made against Aboriginal people living on remote communities. This is a good and necessary mechanism given the lack of employment opportunities across the remote areas of Australia and for other reasons discussed above. But there is talk that this exemption may be lifted, indeed this is being tried out with some select clients at remote community sites already. This will inevitably lead to increased events of people from remote communities being breached and either having their payments cut or diminished as part of the next period of the implementation of remote DEWRES contracts.

One thing that the DEWRES contractors and Centrelink staff will be cognisant of is the potential danger for them in a community if residents have their already meager payments stopped as a result of a breach against them as a result of their failure to comply with mutual obligation or other requirements such as attending interviews. If this happens DEWRES contractors & Centrelink employees will become targets of community anger. It will no longer be safe for them to enter the communities.

If outbreaks of violence do occur, as they almost surely will if this policy is implemented across the board, with people at the communities venting their rage at the unfairness of the system it will of course be blamed on the victims of this policy, the Aboriginal people. Outbreaks of violence and property destruction have of course already happened in recent years with the people at Redfern, Palm Island, Groote Eylandt and other places where despair has festered and violence has broken out. The fact that such events are regularly reported by the Australian media without proper explanations of the culpability of government and the non-Aboriginal population is normal. This sort of reporting feeds the apathy and ignorance of mainstream Australians. It is a perpetuation of a lie, it is an injustice that escalates racial tension between Aboriginal & non-Aboriginal Australia.

In this environment of 'blame the victim' and paternalism and increasingly punitive service delivery platforms racial tensions are obviously going to escalate. The Australian government and its non-Aboriginal people have clearly jettisoned any idea of wanting to get along better with Aboriginal people. So much for the enthusiasm for reconciliation in the 1980s and 90s.

### **Problems associated with initiating breach provisions in remote community locations**

As previously mentioned most people the Job Network agency will need to see at these large community sites, especially during the dry months when road access is optimum, will often be out at their respective outstations working to progress family aspirations. Often for periods of six months or more. The question that logically follows is what will happen if or when 'remote area breach exemptions' are lifted? What happens when they do not meet the required minimum bi-monthly or quarterly Job Network provider contact or they are pending for an interview to be progressed along the unemployment continuum and they cannot be found? Will there already below the poverty line payments be terminated without warning? The short answer is yes, probably.

Who is going to pay for the cost of purchasing the four-wheel drives and then cover the associated high running costs of these vehicles to transport these people the hundreds of kilometers many will have to travel along rough tracks from an outstation into a place where they can make this DEWRES mutual obligation contact to avoid being breached and left without any money at all?

It cannot be imagined that any Employment Services provider would be prepared to erode their profit margin by providing this service. So does the cost then fall back on CDEP or a local government association and their vehicles and their expenditure being diverted for this purpose of public transport so people can meet mandatory review requirements? If CDEP or local government council vehicles are not allowed to be used for this purpose what does the individual do then? Do they walk the hundreds of kilometers to the place where the interview is to occur? Are they to beg or threaten those with a private vehicle to drive them so they do not get breached? The only people that will be likely to assist them in this regard will be their own family whom themselves will in all likelihood be existing on the poverty line. If they do have a car then they will have to divert money that might have gone to food, clothes, etc towards increased vehicle maintenance and running costs to assist family members to comply with what are in their current form meaningless bureaucratic interventions.

What about the disruption to community projects? Will their CDEP pay be cut when they have to leave a project site out at an outstation to attend an interview with their Job Network Provider?

How will these people at the remote community outstations know if they have an interview or that they are about to be breached? Mail often takes weeks or months to arrive. When it does arrive it will generally be at the large community central grantee organisation where their mail is delivered which outstation residents may only visit once

or twice a year. And lets not forget that many Aboriginal people cannot read and thus cannot comprehend the contents of letters even if they do get them.

Aboriginal people do not generally have home phones either, and mobile services are generally not available even at many of the larger communities let alone at smaller sites so this mode of communication is also impossible.

Where will these people that usually live in an outstation community stay when they are forced to come to a population centre and how will they know when the Job Network provider is going to actually arrive at the community site or whether or not they will get time to see them when they are there? One can easily imagine people driving hundreds of kilometers to attend an interview only to find that they cannot be seen for some reason that is of no fault of their own.

One can see how this policy has been designed to contribute to facilitate the closing down of remote community outstation sites. It could be that people will in 2026 look back at the horror period of 1967 to 2006 and think that the policies of this time were relatively benign in comparison to their current state of affairs.

#### **Blaming the community**

One practice usually taken by Job Network members is to simply make appointments for all of the people that are coming up as needing to be seen on the EA 3000 system even though there may be more than one hundred people pending on their system. They know they do not have even a remote chance of seeing all of the people they make appointments for. Then when they got back to the office having failed to see each of the pending individuals they will be required to write a reason in the comments screen on the EA 300 system. The commonality of these comments is that they always blame the community or the individual but never the company itself for repeatedly failing to see these clients on subsequent visits over months and months. These companies will do everything they can to shift blame away from themselves to give the appearance of doing something when it in actual fact they are doing little or nothing for the majority of their clients.

#### **Focusing on groups rather than individuals**

A more culturally appropriate and constructive intervention needs to be implemented to deal with these problems the existing approach throws up.

There are some basic things we need to keep in mind in designing this:

- Aboriginal people on remote communities are not independent individuals operating in isolation and competition with each other as happens in mainstream Australian society.
- Each individual is a part of a complex social fabric of families that are linked with each other through marriage and geographical and spiritual proximity. But at the same time each family group is fiercely independent and has its own separate development agenda.

- Individuals often need to move between groups to meet obligations and fulfill personal needs.
- Values and objectives of these groups can vary enormously and often be in contradiction with each other.

So how does DEWR, ICC and other government and NGO organisations grapple with these needs? Simple, they work together to meet the following needs:

- Consensus agreement often cannot be reached within a big multi family organisation about distribution of resources and development priorities and need. When this is the case the organisation needs to be broken up into smaller groups that each have a consensus shared vision and common purpose. This should be reached before any interaction with government or NGO's commences.
- By getting consensus about the nature of land ownership in an area and by identifying grass roots self-defined groups and the members of those groups as constituted under traditional law or some other mutually agreeable method. This should ideally be worked out with a consensus outcome between the Aboriginal people concerned without interference by government or NGO's. If this was impossible due to un-equal power relationships and ongoing trauma between families it could be facilitated utilising participatory action research paradigms and methodologies.
- By looking at the aspirations of each of those groups and by empowering members of those groups to develop a plan to holistically address needs.
- By supporting a community led implementation of that plan.

Such an approach could be much more easily tracked by DEWRES contractors to ensure effectiveness throughout the term of each project. Accountability, transparency, equity could also easily be tracked meeting the most rigid reporting requirements. It would be a socially coherent approach to meeting need in remote locations. Specific aspirations, needs and progress and real assistance in terms of the provision of research & development, training, mentoring, capacity building, infrastructure and service delivery could then be accounted for as a group. This would eliminate the unworkable policy of tracking individuals and allow people to move between groups as obligation and need dictates for them as individuals.

But such an approach would not work unless there was willingness by government and NGO's to work together in good faith to ensure a seamless delivery of goods and services without interfering in processes as they relate to timeframes, planning or implementation.

#### **Wastage of money that could be utilised to better ends**

Costs associated with flying staff to and fro between a town based Job Network office location and remote community sites & accommodation whilst there can be huge. This may be good for local companies but it is an expenditure item that has no flow on benefit to Aboriginal people unless the service is provided by an Aboriginal organisation that returns profits to the community.



A long-term commitment to the community via the provision of on-site accommodation, office facilities, and a fast internet connection by contracting companies would provide many mutual benefits. The fly-in fly-out nature of these positions causes a lack of opportunity for Job Network staff to be able to sufficiently integrate with the community. It is vital that Job Network staff get a proper grasp of the aspirations of the various interest groups within their community. One of the most effective ways to build trust and mutual understanding is via social interaction outside of work hours.

#### **DEWR Remote Services Discussion Paper**

A recent discussion paper has been circulated by DEWR to discuss the provision of remote services in new employment service areas in the period post July 1<sup>st</sup> 2006. New remote servicing payments proposed under the Jobs Placement, Employment and Training (JPET) program will in this single program alone attract an amount in excess of \$1,650 per participant plus an extra amount within eight months (that is defined as a remote loading) of \$550. Other amounts such as preliminary outcome payments for the successful negotiation of Local Employment & Volunteering Plans of between \$200 - \$1,500 per capita will also be available. Other substantial amounts will also be made available as Aboriginal clients are placed in training or further education or are progressed from one stage of unemployment on the employment continuum to the next. Administration of the New Enterprise Incentive Scheme (NEIS) will attract payments of \$7,150 per participant.

These monies are going to be used to benefit a small number of 'for profit' business owners and their employees within the employment services industry. If this amount of money per-participant in combination with other monies available from other relevant programs were available to directly benefit self-defined groups to initiate enterprise and lifestyle development opportunities major achievements could be within reach. Instead it will be siphoned off into the pockets of an already relatively privileged subset of the Australian population to provide a service that this paper (outside of the context of NEIS) argues cannot and is not benefiting this already highly disadvantaged and vulnerable group of people.

The DEWR paper says that the New Enterprise Incentive Scheme will only be available in certain areas. If this structure is going to be imposed then a modified version of NEIS as previously discussed in this document should be available everywhere as a mandatory program requirement of all service providers because of the low availability of work in the traditional labour market in remote communities. Each self-defined group should have access to this program.

The only function this DEWRES program expenditure will provide will be for Labor, Liberal & National Government members to be able to give the appearance of spending money and doing something whilst the despair, horror and preventable premature death on the ground at best continues unabated and at worst escalates. The provision of Jobs Placement, Employment and Training Program (JPET) does not and cannot alone in its present form miraculously create new employment opportunities at the local government council, CDEP office, store, clinic, etc. The taking up of jobs by local Aboriginal people

already occurs without any need for facilitation from this program and has done ever since this type of community construct has existed.

Some new opportunities can be facilitated for education & further training within the context of the Job Network JPET program, but the employment outcomes available in existing local labor markets in remote communities are so few as to be insignificant in terms of achieving levels of employment that anywhere near approach mainstream availability. Particularly if you count participants on CDEP as unemployed instead of designating them as employed as now happens to manipulate statistical indicators of unemployment in remote Aboriginal communities. New requirements for training to be funded require an outcome where the training will directly result in an individual getting employment in excess of 16 hours a week. Training is required in many areas of endeavor to build capacity so that people can engage and

If every non-Aboriginal person was to resign and leave their employment in remote communities it would at best only provide employment for roughly 10% of the population of these communities. It is thus easily demonstrated that the potential existing labour market is grossly inadequate when it comes to meeting any realistic criteria of being able to fulfill employment need and that the current approach of only utilising this approach is deeply flawed. Equally flawed is the idea of allowing non-Aboriginal people to come in and set up businesses that exploit local populations of Aboriginal people and their resources as is proposed under the 'Unleashing The Potential' legislation to change the Land Rights Act in the Northern Territory.

#### **Inappropriate Engagement in the context of Local Employment & Volunteering Plans.**

A specific instance of potential inappropriate interaction by Job Network service providers is in relation to progressing the making of Local Employment & Volunteering Plan (LEVP) agreements. These agreements are usually negotiated between DEWR, the Job Network agency and a community based service provider.

There are no process related checks and balances required by DEWR to ensure that LEVP negotiations are conducted in a manner where all Aboriginal stakeholder groups have proper proximity to and control over the nature of LEVP's that are proposed for their communities. That an LEVP can be negotiated in isolation is wrong. It is an opportunity for community empowerment and capacity building that is lost that instead further marginalises the proposed recipients of the service and leaves the way open to unwanted and irrelevant services being provided.

This story illustrates how things can go wrong.

"I arrived at the un-named LJET Centre about ten minutes before a proposed LEVP meeting and had a discussion with three local Aboriginal people, 'H', 'D' and 'Dj' (full names not supplied to protect confidentiality) who were associated with the LJET Centre only to find out that they did not even know about the meeting. The only ones that knew were the invited attendees; 'A' who was the Non-Aboriginal Director of the LJET Centre

and 'B' a Non-Aboriginal LJET Centre staff member, & 'N' an un-named Land Council representative & 'S' (The Job Network Field Consultant) and myself.

When I enquired what was going on in relation to community proximity to the project at the start of the meeting I was told that no representatives from the community had been informed or invited. I felt quite uncomfortable and asked if we could at least invite the three Aboriginal people associated with the organisation that I had been speaking with outside the meeting. Those present reluctantly agreed. 'Dj' agreed to join us for the meeting but 'H' and 'D' appeared to be too annoyed to be able to bring themselves to attend. Stories relayed later told a story of repeated poor process issues at the workplace that were disadvantaging and alienating Aboriginal staff that would explain the level of sensitivity displayed by 'H' & 'D'.

During the meeting 'Dj' endorsed me to inform those present that it was vital that community members have ownership of processes and resources if this project and the JET Centre was going to be able to operate effectively. 'Dj' and I proposed a community meeting where representatives from each outstation and community organisation in the community could attend to discuss the LEVP proposal as a starting place. In principle agreement was arrived at and 'Dj' agreed to take on the job of informing the correct people so they could attend an LEVP community meeting that was proposed in two weeks time.

Approximately a week later, I was told that the community meeting had been cancelled. I was disappointed and I expressed that disappointment to my co-worker at the Job Network agency, 'S' whom was irritated by my concerns. I was deeply concerned about the lack of proximity that even the Aboriginal staff had to what was being proposed let alone the rest of the community".

There are no process related checks and balances required by DEWR to ensure that LEVP negotiations are conducted in a manner where Aboriginal stakeholders have proper proximity to and control over the nature of LEVP's that are proposed for their communities. That an LEVP can be negotiated in isolation is wrong. It is an opportunity for community empowerment and capacity building that is lost that instead further marginalises the proposed recipients of the service and leaves the way open to unwanted and irrelevant services being provided.

"My immediate concern was that we should follow due process and ensure 'Dj' was informed that the meeting was cancelled as he was in the process of inviting people. I felt the meeting being cancelled without him being informed would affect his credibility within the community and our future relationship with him. A series of emails followed that were scrutinised by a middle manager "Su' from the Job Network provider to ensure that they did not get 'off-side' with the 'A', the manager from the LJET Centre or 'Dj', the purpose being to get assurance from 'A' that 'Dj' was aware of this change of plan. I eventually got an email back from 'A' at the LJET Centre saying that 'Dj' would be told.

About a week later 'B' from the LJET centre coincidentally visited the Job Network office. I asked him if 'Dj' had been told. He replied to me that he did not know that the meeting had been cancelled and also said that to the best of his knowledge 'Dj' had not been told either.

I lodged a full account of my concerns about what happened in respect to this process as a field report on the internal 'w' drive at the Job Network agency. I was shortly after told that I would not be allowed to submit field reports. Emails between myself and 'A' raising concerns about 'Dj' not being informed also constitute evidence of failings on the part of 'A' at the LJET Centre.

I should also mention that when the meeting was cancelled that there was a plan to inform the various organisations in the un-named community to allow the LEVP outcome to 'filter down' through these channels. I felt then and I still feel now that this was not an appropriate method of working, it completely cuts the local Aboriginal people from having any real ability to influence and have a sense of ownership of the LEVP project and the running of the LJET Centre itself'. (End Quote)

### **Self Interest**

The relationship between Job Network agencies and DEWR is such that each Job Network member organisation has a vested commercial interest to protect. If the Job Network member is to survive they have to tell DEWR what they imagine DEWR wants to hear. This creates a conflict of interest. It sets up an environment where the rights and welfare of Aboriginal clients whom the services are destined for cannot be appropriately evaluated by DEWR or safely advocated for by the Job Network member agencies. The Job Network agencies contracts are not ongoing, they expire at the end of the 2005/6 financial year. Any Job Network member with a wish to provide better outcomes for their Aboriginal constituents that criticises the DEWRES contracts will obviously be less likely to find its contract renewed placing enormous pressure on Job Network contractors to keep quiet even though they are well aware of the failings of the contracts.

The social and economic costs that these 'conflicts of interest' throw up that are created by these sorts of fixed term subcontracted servicing arrangements will be borne by those already most Aboriginal people that exist at the lowest quintile of Australian society. The racially discriminating social and economic disadvantages look to be set to increase as opportunities and rights are stripped away by this and other increasingly punitive and fatally flawed approaches.

The culture of DEWRES agencies is such that it is not conducive to their being capable of being able to respond adequately to the many levels of crisis and dysfunction that their involvement in any given region is going to be creating and perpetuating. One could not in their wildest dreams expect that any report by any Job Network agency to DEWR will be sufficiently self-reflective and holistic in its breadth under the circumstances. Any reports will only provide good news stories to evidence how the company had been effective in providing employment services to the regional communities under its jurisdiction.

There may be a lot of well-meant good will for remote Aboriginal clients held by staff from Job Network agencies that are responsible for interacting with DEWR. It is clear though that this upper level of staff that are employed in most companies will lack the required insight and imagination that can only be gained as a direct result of years of living in a remote Aboriginal community and being witness to the everyday mixture of triumph, boredom, powerlessness and horror that constitutes the lives of so many Aboriginal people.

This level of ignorance partially explains why DEWRES contractors and DEWR itself is so culturally inappropriate and naive in their approach. The DEWRES contractors have a crisis that is exacerbated by the lack of personal obligation that flows from their not being able to sufficiently engage in a culturally coherent way at a grass roots level. This perhaps partially explains why they will generally lack the conviction and courage to properly pursue their social obligation of raising consciousness and advocating and lobbying DEWR for more a more constructive, efficient and appropriate engagement with Aboriginal people.

It could be argued that adoption of a streamlined 'self defined group' approach and rejection of individual case management would deliver substantial economic savings to the DEWRES contractors making the contracts more workable and companies more economically viable. It would also facilitate much better outcomes for clients and result in vastly improved relationships between the company and its clients and Aboriginal organisations under its geographical footprint.

### **Culture of denial**

One should not doubt that the majority of people in DEWR and Job Network approach their work with a feeling of good will towards the remote Aboriginal people they are meant to serve. But all of the good will in the world is meaningless if it just leads to further failures because people are ignorant or/and in denial about the extent of the problems that exist on the ground and their culpability in creating and perpetuating this situation.

People in the Job Network sector need to be educated and accepting of the statistical evidence and 100% committed to the struggle to get equity between Aboriginal & non-Aboriginal people and there is no evidence to suggest that this might be the case. Job Network and DEWR need to engage with people that have a history of grass roots involvement from a social justice perspective to find more constructive ways of engaging, instead these people and their views are dismissed. People employed within DEWRES contractor agencies whom are unable to turn a blind eye to the dysfunction and injustice of the present approach to Aboriginal people are typically sacked because they potentially threaten the DEWRES contractor's relationship with DEWR.

### **How can these people live with themselves?**

Why it is that so many of those that formulate and implement government policy appear to blithely live in denial as to the difference between the social and economic

circumstances of Aboriginal people and people like themselves with a secure home, well paid job and all of the other privileges that come with these things? Can they even begin to imagine what it is like to live in a three-bedroom house with sixteen or thirty people without any privacy, security or safety 24 hours a day?

So what sorts of qualities do people need to possess to be able to survive in the DEWRES sector in the long term? An ignorance and disregard for the circumstances of powerless Aboriginal people would have to be a fundamental starting place. People that tend to look back and wonder if they could have done things in a more ethical way that might want to work in more consultative and constructive ways would not survive. An ability to ignore Aboriginal people and shrug off any sense of personal or corporate social responsibility for the ramifications of the formulation and carriage of inappropriate public policy would appear to be a vital criterion. This would need to be combined with the ability to not question the status quo no matter what the social and economic consequences were for the target Aboriginal community.

#### **The only approach that will work**

The only approach that can and will work is one that is a holistic set of policies that are planned, driven and implemented by specific self-defined groups of Aboriginal people. What is true for one group will in all likelihood be specific to that group and entirely inappropriate in any other setting. We must come to terms with this basic understanding if we are to achieve anything.

There are things we can probably offer to assist Aboriginal people in achieving whatever that thing is that they need to do, but we have to be ever vigilant and ever ready to listen and act appropriately. All of the available evidence suggests that this type of approach does not sufficiently inform DEWR and DEWRES contractors. Nor is it really possible that it can given the culture of these organisations, and especially within the context of the existing way that DEWR and DEWRES contractors do their business within the context of the implementation of DEWRES contracts as they exist at the moment.

Unfortunately though there is not much evidence of outcomes on the ground though to support the idea that relationships with Aboriginal associations & corporations were ever a priority for DEWRES contractors or DEWR at remote Aboriginal community sites. It would under the circumstances be safe to speculate that this has compromised the many Job Network providers ability to maintain good relations with Indigenous organisations within their service footprint.

One could speculate that the added factor of DEWR excluding Outstations from being able to utilise the potential benefits offered by the provision of employment services would not have helped to endear the Job Network and DEWR with regional Aboriginal community based organisations either. As previously argued, this decision seems ill considered given that outstations constitute the best chance of success given that they are the starting place and fundamental building block of economic and social development.

One thus cannot blame community organisation CDEP coordinators, CEO's and councils for coming to the conclusion that the employment services offered are such a cultural mismatch and so irrelevant and ineffectual as to not be worth the energy of engaging. A 'self defined group' model as advocated in this document that is informed by post-colonial community development and traditional Aboriginal law values could change this situation. DEWRES contractors, the ICC and various NGO's could do a lot more to work together with Aboriginal people on the ground to lobby DEWR to develop a better structure that would in turn deliver better outcomes.

One would hope that the initial remote Aboriginal community contracts negotiated by DEWR were always intended by DEWR as a pilot project. That it was surely meant to be a starting place for the provision of employment services to remote Aboriginal communities across the rest of Australia? Pilot projects should be approached as small-scale implementations of policy as a learning process. This is the first time this type of service has been delivered to Aboriginal communities. They should not be implemented by sub-contractors in such a sycophantic fashion as they expose Aboriginal people across the country to avoidable harm. It seems pretty clear in hindsight that the initial remote community contracts were never intended as a true pilot project. This is obviously just another example of government imposing pre-ordained genocidal structures on Aboriginal people. The structure itself is evidence enough to suggest that there was never any real interest in getting any good outcomes via this new mechanism.

#### **Does DEWR want to know what is going on?**

If DEWR was really interested in finding out what is going on then it would periodically initiate independent research projects perhaps utilising the expertise of the Centre For Aboriginal Economic Policy & Research where all DEWRES members could be consulted about the nature of the various remote Aboriginal community DEWRES contracts. This could be a safe way for them to be talk about problems on the ground without risking a diminishing of their relationship with DEWR. Failure to engage in proper research and heed its outcomes gives weight and credibility to the idea that observers can now legitimately conclude that DEWR does not really care about the quality of its services.

#### **Disengagement & social breakdown**

Many Aboriginal people have thus been forced to 'disengage' and become passive recipients of welfare rather than compromise their values and diminish their quality of life. This under the circumstances is an understandable and rational response that has integrity. That so many have made this choice exists as evidence of the dysfunction and moral repulsiveness of these structures. That DEWR and Employment Services agencies will continue to perpetuate this dysfunction without question is an indictment against them. The continued resilience, attractiveness, and potential usefulness of traditional value systems and structures to Aboriginal people exists in stark contrast with the failure of approaches utilised by various levels of Australian governments to date. DEWR and Employment Services ignore these concepts and the people that hold them. They do this to the detriment of the fundamental human rights of participants of these social congregations and they obviously do not care about the negative human costs.

### **Lack of accountability**

The level of shame that we should experience when we compare our quality of life with the quality of life that many Aboriginal people experience should be enough to motivate any non-Aboriginal individual. Any superficial comparison of Aboriginal statistics (such as those supplied within this document) against non-Aboriginal statistics around income, employment, health, premature mortality, educational outcomes, housing, violence, substance abuse & criminal justice interactions will demonstrate the appalling extent of the manifold differences between the life of the average Aboriginal person and the average non-Aboriginal person.

All of these appalling outcomes are inextricably linked and are a direct result of the way that government, its subcontractors, and the general population has intervened in the lives of Aboriginal people since the first days of colonisation of Australia. This fact cannot be disputed. Arguments that it might have been worse if some other nation state had colonised this country are meaningless. We are here, we are in control, and each and every one of us has a responsibility to go that extra mile and put ourselves on the line to facilitate change.

### **Shared responsibility agreements & other structures**

The Indigenous Coordination Centres (ICC) around Australia are now primarily working within the policy context of Shared Responsibility Agreements (SRA's). SRA's cannot by any means be construed as an ideal platform for the delivery of programs to this already marginalised sector of Australian society. Indeed the very title of this policy implies a paternalistic notion of Aboriginal people being irresponsible. For all of their failings these SRA's are however perhaps the best 'available' contemporary policy mechanism that can currently be utilised to enable self-defined sovereign groups to make their own SRA with government and thus get a little closer to some kind of grass roots self-determination outcome.

One could only imagine that the huge number of SRA's enacted in such a short period of time by so few people from the ICC could be anything but ill-considered and perhaps even fatally flawed and not at all grass roots or self determined by their very nature. Only time will tell whether this is an effective approach or whether the SRA's negotiated were sufficiently holistic when considered in the planning & implementation stages.

### **Lets not just shift the furniture, why not demolish the house and build a worse one?**

As is the case of interventions of the past it may well be that the SRA mechanism might have great potential if it is carefully planned with good will & implemented appropriately. Unfortunately though history repeatedly reveals that once Aboriginal people are able to begin to utilise a policy structure to actually start getting good outcomes that they are axed. Three vastly different policy environments have existed during the last sixteen years. It is complex enough for a privileged non-Aboriginal person to understand, explain and utilise the complexity and possibilities as each new structure replaces the old with any certainty even when they have good literacy and numeracy skills.



Even Mick Dodson in his Nugget Coombs Memorial Lecture of the 5<sup>th</sup> of December 2005 expressed that there was widespread confusion when it comes to the new government approach to Indigenous policy implementation.

Being able to come some way to be able to interpret and utilise new structural government policy interventions is often even a mystery for at least the first six months or eighteen months even for low level government workers whom when pressed are often in this authors experience unable to explain the policy environments they are meant to administer. It thus becomes very difficult for people with low numeracy and literacy skills to be able to understand and utilise the policy environments that they are forced to live within thus keeping the power firmly in the hands on the non-Aboriginals that run government and non-government organisations.

#### **The link: Governance and opportunity**

The SRA policy environment or other previous policy environments might have enabled Aboriginal people to develop a holistic approach to break away from welfare dependence using a variety of mechanisms if proper governance mechanisms were in place. Opportunity cannot exist without good governance though, so the horror continues regardless of the policy structures adopted by government.

The three pillars of good governance are equity, accountability and transparency and it is a great tragedy for many Aboriginal people that government refuses to implement these basic tenets with regard to the operation of Aboriginal organisations and representative bodies. This is evidenced in previous submissions this author has lodged with various governmental inquiries.

Whatever the policy structure the basic objectives remain the same:

- Obtaining autonomous ownership of land as an economic base;
- The development of business plans
- The provision of infrastructure to enable implementation of those plans.
- The development of cross cultural understanding and partnerships between Aboriginal people and people from outside via organisations like Indigenous Community Volunteers Australia in Brisbane to pass on skills, mentor and build capacity in the longer term.

#### **International Human Rights Obligations**

We should also have an eye to our international obligations under the Universal Declaration Of Human Rights that we as citizens of Australia have an obligation to uphold and implement given that our government signed these conventions and swore to uphold them. It could perhaps in future be argued by Aboriginal litigants that Job Network providers as subcontractors of government services could even be legally liable and in breach of this convention and others. This raises the question as to whether government puts itself at arms length from the delivery of services of this type as a way of diminishing its responsibility for continued poor outcomes?

The Australian Government has been repeatedly condemned by the United Nations Committee For the Elimination of Racial Discrimination. Australia is the first 'developed first world nation' to be condemned by this body. Australia is fast gaining an international reputation, particularly in Europe, as arrogant and un-recalcitrant abusers of the human rights of Aboriginal people. Job Network members implementing the DEWRRFFSC's are in a great position to change the way government intervenes in the lives of Aboriginal people in this respect and to thus change this countries international reputation if they have the courage to do so.

### **Taking personal responsibility in the context of human rights**

Each citizen of a given state, be they a direct employee of government, a subcontractor, a citizen at the coal face, or high up in the hierarchy has a responsibility to do their job in such a way that they progress the changes required to bring government service delivery to a place where it is moving towards outcomes that are in accord with this nation states various commitments under the international conventions and agreements we are signatories to. This is not just the responsibility of those that represent Australians in parliaments and local government and senior public servants whom all have their own constraints and agendas that can sometimes compel them to contradict the legislation they write and enforce. Recent events in Iraq with prisoner abuse are a case in point. We are all to various degrees potentially liable for our actions no matter what level we exist at.

### **Literacy & numeracy & lack of work opportunities within the context of existing approaches.**

Many Aboriginal people have literary and numeracy skills that are well below average mainstream standards and many would like to improve those skills. These people have little or no chance of being able to displace most of the non-Aboriginal outsiders in various positions of employment throughout the remote communities and they know it, further fueling the cycle of despair, especially for some that are keen on engaging in meaningful mainstream employment.

Those people less interested in assimilating are sometimes disinterested in taking jobs that are available. A proper understanding of the social and economic forces that exist for these people exonerates them from being able to be blamed for their circumstances and conclusions, especially as they exist at this remote community site and other places across the north of Australia.

All appearances indicate that there is no serious consideration being given to the idea of actually achieving culturally coherent employment opportunities that might allow a majority of the population to get ongoing employment where they can simultaneously observe cultural obligations conferred on them.

### **Philosophical mismatches & prejudice**

There is a continual angst ridden dialogue that is philosophical and culturally based that cuts across racial boundaries. It is sometimes an implication and at other times a more forthright complaint that the Aboriginal people in the region and other places are

hopeless cause they will not accept work and when they do that they will not 'stick to a job' in the long term.

Little or no effort is made by those of privilege to walk in the shoes of the Aboriginal people themselves or to accept responsibility for the many (arguably deliberate) structural faults that have been built into the edifice of public administration at remote communities that disempower some families and all of their members that cause this situation in the first place. There is no self-examination of the common practice by privileged people ensconced within Aboriginal organisations that subscribe to the dominant paradigm of Australian mainstream beliefs doing things themselves rather than delegating responsibility to Aboriginal staff cause they cannot be bothered to show them how to complete the task.

#### **The cultural disconnect & job retention.**

The reasons why Aboriginal people drop out of jobs vary. Sometimes they leave because of domineering and inappropriate management styles and decision-making practices. In many cases non-Aboriginal people running community organisations are overtly racist. They look at the people on their staff as stupid, a lower form of life, and they treat them as such eroding confidence and self esteem. This is common. In other cases it has to do with cultural obligations, like funerals, or 'rite of passage' cultural ceremonies, or caring responsibilities for sick family members, or the fact that sharing a three bedroom house with in excess of 16 other people is resulting in them not getting enough food or rest to be able to attend work. These and 100 other legitimate reasons result in people becoming traumatised and stressed resulting in them having to leave the physical proximity of the workplace and then not being able to regularly attend work, sometimes for extended periods.

In other cases again it is as a result of pressures exerted upon the employee from people they have cultural obligations with to share their income. At the end of the day it finds the individual just as poverty stricken and ten times more time poor than they would be if they were on a much smaller income and not working.

At other times it might be because they are confronted with a 'conflict of interest' dilemma. They find themselves forced or compelled to give unfair advantages to people from their own family over others as a result of legitimate family cultural responsibilities. This is in stark contrast with the fundamental mission of all Aboriginal organisations in that they are meant to have an ethical obligation to give an equitable outcome to all of the families under their jurisdiction. Many choose to take the nepotism pathway but some with a big picture sense of integrity choose not to.

That there is no mechanisms to ensure equity, accountability and transparency in terms of the distribution of benefit between families/groups by these organisations from government puts employees in a position where they are vulnerable and have to make difficult choices that set them up to fail whatever choice they make. At the end of the day these individuals find themselves in a 'no win' situation where they will be vulnerable to criticism either from within their family or from other families whatever decision they

make. Aboriginal people with the skills and drive that want to get jobs and maintain their professional and personal integrity at the same time are often forced to leave the region where family members are situated if they want work and this is wrong.

At other times it is simply because there is no job satisfaction, they are not given any responsibility within the job, and there is no opportunity for advancement within the organisation because all of the highly paid jobs that have responsibility and intrinsic rewards are firmly in the grasp of non-Aboriginal people. At the end of the day many Aboriginal people quite understandably decide working is simply not worth it, there is too much hassle from every angle and their quality of life diminishes without any commensurate benefit to them.

### **Conclusions**

There is no thought about the fact that each of the individuals on the Job Network agencies caseload reside within strong family and kinship structures that are the ideal and thus obvious location for locating and sustaining enterprise or alternative lifestyle opportunities that would solve the 'conflict of interests' dilemma and facilitate consensus outcomes and alleviate despair at the same time. Indeed quite the opposite. Interventions described in this document in the area of service provision and enterprise development structures generally dismiss traditional structures and view them as if they are somehow suspect, or at the very least incongruous with the interventions prescribed by the DEWR & the Job Network agency in question.

DEWR and this particular Job Network agency evidently perceive that this ancient law family oriented pathway may somehow be described as 'noble', but that it is apparently simultaneously primitive and thus obsolete, or too deeply buried under ongoing community trauma and that it must be comatose, or dead and unworthy of consideration. Or maybe it is for these people intimately involved with the carriage of public policy a way of being that is unfathomable and too much trouble, akin to a journey to a social and intellectual wasteland from which no material or methodological approach can be salvaged that might provide a clue to solving the intractable problems of the plight of the 'troublesome natives' and they the beleaguered well-meaning people that provide the services.

### **Divide & conquer**

The community governance environments that have been imposed over the last 40 years or so have quite demonstrably set families fighting against each other. The majority rules governance structures imposed encourage the violation of a basic tenet of Aboriginal law, that being the sovereign rights of the family group creating a breeding ground for nepotism and corruption. These are all strategies that have been utilised by colonising forces across the globe as assimilation techniques since the Romans marched out of their country into other parts of Europe. It is not difficult to argue that these interventions have been deliberately designed to break down the egalitarianism and sharing that is so much a part of Aboriginal culture. This is not a paternalistic & romantic view of Aboriginal culture, it is a living cultural phenomenon this is still held embraced and practiced everyday by many Aboriginal people across the continent.

### **Disengagement & social breakdown**

Many Aboriginal people have thus been forced to 'disengage' and become passive recipients of welfare rather than compromise their values and diminish their quality of life. This under the circumstances is an understandable and rational response that has integrity. That so many have made this choice exists as evidence of the dysfunction of existing structures and the distaste many Aboriginal have towards those structures. That DEWR and Job Network agencies perpetuate this dysfunction without question is an indictment against them. Its failure as an approach as evidenced by the situation in Aboriginal Australia exists in stark contrast with the resilience and attractiveness of traditional value systems and structures to Aboriginal people. These people are ignored by DEWR and this Job Network agency to the detriment of the fundamental human rights of participants of these social congregations.

The end result of this policy is that this most vulnerable subset of the Australian community that is already arguably the most highly regulated group is exposed to yet another increasingly paternalistic and punitive level of social and economic regulation and control. Yet more money will be diverted away from the vulnerable Aboriginal people that most need it into the pockets of the already privileged.

The Federal government is selling these programs as a positive contribution to provide a benefit for Aboriginal people. They falsely pretend to be 'accountable' ways of allocating financial resources to address Aboriginal disadvantage. Ten years down the track when things still have not changed those that created and perpetuated this policy direction will once again wring their hands, express their good intentions and wonder why the statistical outcomes remain unchanged and they will not even see the blood on their hands.

The social costs of continuing to ignore traditional values and structures are high, and they are irrefutably evidenced by the starkly different outcomes when Aboriginal and non-Aboriginal statistical indicators of well-being are compared. Whatever area you look at, health, life expectancy, income, education, housing, criminal justice interactions, suicide, the figures are truly appalling, we have seen the evidence, and there is not much evidence of trends that would indicate any substantial change and this should be a cause for national introspection and action.

The only conclusion that can be reached is that the DEWRES contracts are yet another way of transferring money that should be utilised to benefit poverty stricken Aboriginal people directly into the hands of the privileged middle class sector of Australian society in the most culturally incoherent, inefficient, ineffective and insulting way that could possibly be imagined. Instead of adopting an empowerment model its approach will deliberately undermine the power of this group deliberately tightening the noose around their necks. The lifting of mutual obligation remote area exemptions will for many be like pulling the lever to open the trapdoor that these already disadvantaged people are standing on. This is not an approach that is designed to increase self-confidence and self esteem. It is an approach that is deliberately designed to further victimise this group and push them over the edge into oblivion and the Australian Government can expect to once

again be roundly criticised by relevant United Nations bodies in coming years for this form of deliberate assimilationist covert genocide.

Aboriginal people do not need to be forced into undertaking work. If the opportunities were accessible and they were presented in a culturally appropriate way they would be eagerly taken up. There is no shortage of excellent enterprise development ideas that Aboriginal people across Australia want to implement. The problem is that there are so many barriers that lay between these people and those opportunities. The opportunities might as well not be there given the huge cultural mismatch chasm that various levels of the Australian government has for the last 38 years refused to address.

We non-Aboriginal people must take the first step to reach out our hand and engage. This is the only way that individual and family capacity will be able to be addressed so that these people can escape from the cycle of poverty and horror. We non-Aboriginal people have a huge amount to gain in terms of philosophical and spiritual enlightenment from working with grass roots Aboriginal people if we engage in an appropriate way. The big positive payback for us is the gaining of an unimagined sense of new personal meaning and integrity. No amount of money can buy this sort of experience.

The incontrovertible statistical data readily available at the Australian Governments own Bureau Of Statistics exists as a powerful proof of inequities that cannot be questioned. These base facts alone should drive everyone intervening in the lives of Aboriginal people to question their role, their culpability, and their responsibility in doing whatever they can to bring about culturally coherent and constructive interventions around policy planning and implementation that empower instead of diminishing Aboriginal people.